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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

OKI AMERICA, INC., OKI ELECTRIC
INDUSTRY CO., LTD., OKI DATA
CORPORATION, and OKI DATA
AMERICAS, INC.,

Plaintiffs,

vs.

ADVANCED MICRO DEVICES, INC.,
Defendants

Counterclaimant,

vs.

OKI AMERICA, INC., OKI ELECTRIC
INDUSTRY CO., LTD., OKI DATA
CORPORATION, and OKI DATA
AMERICAS, INC.,

Counterdefendants.

No. C 04-03171-CRB-JL

OKI'S ADMINISTRATIVE
MOTION FOR LEAVE TO FILE
DOCUMENT UNDER SEAL

1 Pursuant to Civil Local Rules 7-11(a) and 79-5(d), Oki requests that Exhibits E, F,
2 G, and H to the Declaration of Patrick Curran In Support of Oki's Motion to Strike
3 Newest Supplemental Expert Report of Alan Ratliff ("the Curran Declaration"), and
4 portions of Oki's Motion to Strike Newest Supplemental Expert Report of Alan Ratliff
5 ("Oki's Motion to Strike") discussing those exhibits, be filed under seal, as they contain
6 confidential information that is protected by the Protective Order entered by the Court on
7 December 8, 2004.

9 Exhibits E, F, G, and H to the Curran Declaration are, respectively, the initial
10 expert report of Alan Ratliff dated July 21, 2006, the first supplemental expert report of
11 Alan Ratliff dated August 4, 2006, the second supplemental expert report of Alan Ratliff
12 dated August 31, 2006, and the rebuttal expert report of Richard Troxel dated August 14,
13 2006. These materials each extensively discuss the sales and licensing activities of Oki
14 and AMD. This information is considered proprietary information by both companies.
15 Accordingly, AMD has designated Mr. Ratliff's initial report and his two supplemental
16 reports as "outside counsel only" under the protective order, and Oki has designated Mr.
17 Troxel's rebuttal report as "outside counsel only" under the protective order. Neither
18 party has challenged these designations.

21 Although this information has been designated as protected from disclosure under
22 the Protective Order, Oki relies on this information to show that Oki's Motion to Strike
23 should be granted.

25 Pursuant to Local Civil Rule 79-5(d), Oki therefore lodges Exhibits E, F, G, and
26 H to the Curran Declaration, along with portions of Oki's Motion to Strike discussing
27 those materials, and respectfully requests leave to file the aforementioned documents
28 under seal.

1 Counsel for Oki have conferred with counsel for AMD and counsel for AMD do
2 not oppose this motion. A proposed order in the form of a stipulation is attached, as
3 required by Local Rule 7-11.
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6 Respectfully submitted,
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9 Dated: September 8, 2006

By: /s/ J.C. Rozendaal
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ADVANCED MICRO DEVICES, INC.,
Counterclaimant,

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INDUSTRY CO., LTD., OKI DATA
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No. C 04-03171-CRB-JL

STIPULATION TO FILE
DOCUMENT UNDER SEAL

WHEREAS Oki seeks to file with this Court as Exhibits E, F, G, and H to the Declaration of Patrick Curran In Support of Oki's Motion to Strike Newest Supplemental Expert Report of Alan Ratliff (1) the initial expert report of Alan Ratliff dated July 21, 2006, (2) the first supplemental expert report of Alan Ratliff dated August 4, 2006, (3) the second supplemental expert report of Alan Ratliff dated August 31, 2006, and (4) the rebuttal expert report of Richard Troxel dated August 14, 2006; and

WHEREAS these materials extensively discuss proprietary information relating to Oki's and AMD's sales and licensing activities; and

WHEREAS these materials have been designated as protected from disclosure under the Protective Order entered by this Court on December 8, 2004;

IT IS HEREBY STIPULATED AND AGREED by and between all parties that Exhibits E, F, G, and H to the Declaration of Patrick Curran In Support of Oki's Motion to Strike Newest Supplemental Expert Report of Alan Ratliff, and portions of Oki's Motion to Strike Newest Supplemental Expert Report of Alan Ratliff discussing those materials, should be filed under seal because they contain confidential information protected under the Court's protective Order entered December 8, 2004.

IT IS SO STIPULATED THROUGH COUNSEL OF RECORD.

Dated: September 8, 2006

VINSON & ELKINS, LLP

/s/ Michael J. Smith

Michael J. Smith

Attorney for Advanced Micro Devices, Inc.

KELLOGG, HUBER, HANSEN, TODD &
EVANS, PLLC

/s/ Patrick D. Curran

Patrick D. Curran

Attorney for Oki America., et al.

IT IS SO ORDERED.

Dated: September 11, 2006

Hon. Charles R. Breyer
United States District Court

